Notice of Allowability	Application No.	Applicant(s)
	10/563,089	SUDOH ET AL.
	Examiner	Art Unit
	Jason M. Nolan, Ph.D.	1626
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to <u>Amendment - After Final Rejection, filed 12/13/07</u> .		
2. The allowed claim(s) is/are 12 and 13 (now 1 and 2).		
 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). 		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) 🔲 including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached		
1) hereto or 2) to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s)	5 	
1. Notice of References Cited (PTO-892)	5. Notice of Informal Pa	
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summary Paper No./Mail Date	e .˙
3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date	7. 🛛 Examiner's Amendm	nent/Comment
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. Examiner's Stateme	nt of Reasons for Allowance
	9.	

DETAILED ACTION

This Office Action is responsive to Applicants Amendment – After Final Rejection, filed 12/13/2007. Claims 2, 6, 12, & 13 are pending in the instant application; of which, Claims 2 & 6 are withdrawn from further consideration as being drawn to non-elected inventions and Claim 13 is currently amended. Claims 1, 3-5, 7-11, & 14 are canceled.

Response to Amendment

Applicant's amendment to **Claim 13** has been fully considered and is entered.

The 112-enablement rejection of **Claim 13** is withdrawn per amendment.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

1. Delete/Cancel Claims 2 & 6. These claims are canceled without prejudice; therefore, Applicants retain the right to file divisional or continuation applications on the contents thereof.

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Conclusion

Claims 12 & 13 are allowed and are now renumbered as Claims 1 & 2.

Telephone Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Nolan, Ph.D. whose telephone number is (571) 272-4356 and electronic mail is Jason.Nolan@uspto.gov. The examiner can normally be reached on Mon - Fri (9:00 - 5:30PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571) 272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason M. Nolan Patent Examiner Art Unit 1626

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REBECCA ANDERSON

Patent Examiner

Art Unit 1626